

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Takanori ITOU et al.

Title: POSITIVE ELECTRODE MATERIAL FOR NON-AQUEOUS ELECTROLYTE LITHIUM ION BATTERY AND BATTERY USING THE SAME

Appl. No.: 10/581,858

International 11/29/2004

Filing Date:

371(c) Date: 06/30/2006

Examiner: Unassigned

Art Unit: 1745

Confirmation 4646

Number:

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of a document known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed document is being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

In a counterpart Chinese application, an Office Action dated December 7, 2007, was received by Applicants. The Chinese Patent Office made certain characterizations of the references. The disclosure of these characterizations should not be construed as an admission of or agreement to the opinions expressed in the Chinese Office Action. A copy of the Chinese Office Action is attached herewith.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

Date February 22, 2008

By PDS

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